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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

BOARD OF TRUSTEES OF THE LABORERS
HEALTH AND WELFARE TRUST FUND
FOR NORTHERN CALIFORNIA; BOARD
OF TRUSTEES OF THE LABORERS
VACATION-HOLIDAY TRUST FUND FOR
NORTHERN CALIFORNIA; BOARD OF
TRUSTEES OF THE LABORERS PENSION
TRUST FUND FOR NORTHERN
CALIFORNIA; and BOARD OF TRUSTEES
OF THE LABORERS TRAINING AND
RETRAINING TRUST FUND FOR
NORTHERN CALIFORNIA,

Case No.: C06-6915 CW

**PLAINTIFFS' STATEMENT IN LIEU OF
CASE MANAGEMENT CONFERENCE;
PROPOSED ORDER**

Date: September 11, 2007
Time: 2:00 p.m.
Courtroom: 2, 4th Floor, Oakland
Hon. Claudia Wilkens

Plaintiffs,

v.

CLARK ARNOLD CORP., a California
Corporation; JONAS D. CLARK, an individual,

Defendants.

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1 As Defendant Clark Arnold Corp. has failed to answer or otherwise appear in this action
2 and this action is stayed due to bankruptcy as to Defendant Jonas D. Clark, plaintiffs hereby
3 submit this statement in lieu of a case management conference statement.

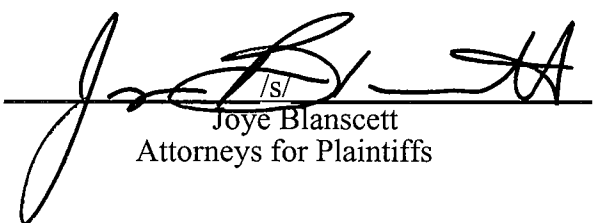
4 Defendant Clark Arnold Corp. was served on December 14, 2006 and failed to respond.
5 The Clerk of Court entered the default of Defendant Clark Arnold Corp. on February 7, 2007.
6 Plaintiffs filed a motion for default judgment on March 7, 2007. On May 24, 2007, Magistrate
7 Judge Edward M. Chen issued a Report and Recommendation Re: Plaintiffs' Motion for Default
8 Judgment recommending that judgment be entered in plaintiffs' favor. No written objection
9 was filed in response to the report and recommendation and no final decision has been issued.
10 ~~Plaintiffs' motion for default judgment is still pending.~~ The Court issued an Order of 7/31/07.

11 As to Defendant Jonas D. Clark, the action remains stayed as a result of his filing for
12 personal bankruptcy. If judgment is granted against Defendant Clark Arnold Corp., plaintiffs
13 anticipate that they will dismiss without prejudice their action against Defendant Jonas D. Clark.

14 Based on the above, Plaintiffs respectfully request that this Court take the Case
15 Management Conference set for September 11, 2007 at 2:00 p.m. off calendar.

16 DATED: September 6, 2007

17 BULLIVANT HOUSER BAILEY PC

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19 By  /s/
20 Joye Blanscett
21 Attorneys for Plaintiffs
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ORDER

The Court having read Plaintiffs' Statement in Lieu of Case Management Conference Statement and good cause appearing therefore:

IT IS HEREBY ORDERED that the Case Management Conference currently scheduled for September 11, 2007 at 2:00 p.m. ~~be vacated.~~ is continued to 10/23/07 at 2:00 p.m.

DATED: September 12, 2007

By



HON. CLAUDIA WILKEN
UNITED STATES DISTRICT JUDGE